

SUBCHAPTER C—ADMINISTRATIVE DATA STANDARDS AND RELATED REQUIREMENTS

PART 160—GENERAL ADMINISTRATIVE REQUIREMENTS

Subpart A—General Provisions

Sec.

- 160.101 Statutory basis and purpose.
- 160.102 Applicability.
- 160.103 Definitions.
- 160.104 Modifications.

Subpart B—Preemption of State Law

- 160.201 Applicability.
- 160.202 Definitions.
- 160.203 General rule and exceptions.
- 160.204 Process for requesting exception determinations.
- 160.205 Duration of effectiveness of exception determinations.

Subpart C—Compliance and Enforcement

- 160.300 Applicability.
- 160.302 Definitions.
- 160.304 Principles for achieving compliance.
- 160.306 Complaints to the Secretary.
- 160.308 Compliance reviews.
- 160.310 Responsibilities of covered entities.
- 160.312 Secretarial action regarding complaints and compliance reviews.

Subpart E Civil Money Penalties: Procedures for Investigations, Imposition of Penalties, and Hearings

- 160.500 Applicability.
- 160.502 Definitions.
- 160.504 Investigational subpoenas and inquiries.
- 160.506 Basis for penalty.
- 160.508 Amount of penalty.
- 160.510 Authority to settle.
- 160.512 [Reserved]
- 160.514 Notice of proposed determination.
- 160.516 Failure to request a hearing.
- 160.518 Collection of penalty.
- 160.520 [Reserved]
- 160.522 Limitations.
- 160.524 [Reserved]
- 160.526 Hearing before an ALJ.
- 160.528 Rights of parties.
- 160.530 Authority of the ALJ.
- 160.532 Ex parte contacts.
- 160.534 Prehearing conferences.
- 160.536 Settlement.
- 160.538 Discovery.
- 160.540 Exchange of witness lists, witness statements, and exhibits.
- 160.542 Subpoenas for attendance at hearing.

- 160.544 Fees.
- 160.546 Form, filing, and service of papers.
- 160.548 Computation of time.
- 160.550 Motions.
- 160.552 Sanctions.
- 160.554 The hearing.
- 160.556 Witnesses.
- 160.558 Evidence.
- 160.560 The record.
- 160.562 Post hearing briefs.
- 160.564 ALJ decision.
- 160.566 [Reserved]
- 160.568 Judicial review.
- 160.570 Stay of ALJ decision.
- 160.572 [Reserved]

AUTHORITY: 42 U.S.C. 1302(a), 42 U.S.C. 1320d—1320d-8, and sec. 264 of Pub. L. 104-191, 110 Stat. 2033-2034 (42 U.S.C. 1320d-2(*note*)).

SOURCE: 65 FR 82798, Dec. 28, 2000, unless otherwise noted.

Subpart A—General Provisions

§ 160.101 Statutory basis and purpose.

The requirements of this subchapter implement sections 1171 through 1179 of the Social Security Act (the Act), as added by section 262 of Public Law 104-191, and section 264 of Public Law 104-191.

§ 160.102 Applicability.

(a) Except as otherwise provided, the standards, requirements, and implementation specifications adopted under this subchapter apply to the following entities:

- (1) A health plan.
- (2) A health care clearinghouse.
- (3) A health care provider who transmits any health information in electronic form in connection with a transaction covered by this subchapter.

(b) To the extent required under the Social Security Act, 42 U.S.C. 1320a-7c(a)(5), nothing in this subchapter shall be construed to diminish the authority of any Inspector General, including such authority as provided in the Inspector General Act of 1978, as amended (5 U.S.C. App.).

[65 FR 82798, Dec. 28, 2000, as amended at 67 FR 53266, Aug. 14, 2002]